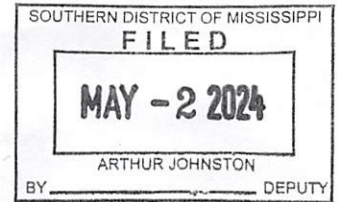


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the



Zachary Wade Sellers

Petitioner

v.

Case No.

(Supplied by Clerk of Court)

Scott CO. Detention Center

Respondent

(name of warden or authorized person having custody of petitioner)

3:24cv 245 TSL-ASH

~~417-335,336,337,338~~

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Zachary Wade Sellers
- (b) Other names you have used: _____
2. Place of confinement:
 - (a) Name of institution: Scott CO. Detention Center
 - (b) Address: 531 Airport Rd. Forest, MS 39074
 - (c) Your identification number: 35-41-3
3. Are you currently being held on orders by:

☐ Federal authorities
 ☒ State authorities
 ☐ Other - explain: _____
4. Are you currently:

☒ A pretrial detainee (waiting for trial on criminal charges)
 ☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

 - (a) Name and location of court that sentenced you: _____
 - (b) Docket number of criminal case: _____
 - (c) Date of sentencing: _____

☐ Being held on an immigration charge
 ☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:

☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- ☒ Pretrial detention
☐ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: Scott County Detention center
 (b) Docket number, case number, or opinion number: They refuse to give it to me per captian Johnson
 (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Agg. Assault x2, shooting into a occupied dwelling, ~~mischievous mischief~~ Malicious mischief
 (d) Date of the decision or action: Have not been convicted

Your Earlier Challenges of the Decision or Action7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: Have not been convicted8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes☒ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes☒ No

If "Yes," provide:

(a) Date you were taken into immigration custody: _____

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes☐ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: They charged me with ~~Agg~~ Aggravated Assault x2

(a) Supporting facts (Be brief. Do not cite cases or law.):

I did not put my hand on anyone or cause physical harm to anyone. My Affidavit has my name spelled Zachary Seller, And is dated March the 3rd, And sworn to be subscribed ~~At~~ April 3rd And has Not been signed by a judge. See Attachment.

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes

☒ No

GROUND TWO: Shooting into a occupied dwelling

(a) Supporting facts (Be brief. Do not cite cases or law.):

I didn't have a fire-arm, I caint own one, and they didn't recover one from my possission. My Affidavit has my name miss spelled Zachary Seller, And is dated March the 3rd, Sworn to be subscribed April 3rd And has Not been signed by a judge. See Attachment

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE: ~~malicious~~ Malicious Mischief

(a) Supporting facts (Be brief. Do not cite cases or law.):

I plead Guilty to that because I did stab a tire when they tried to run me over. My name is miss spelled Zachary Seller on my Affidavit. It has Not been signed by a judge, And is dated March the 3rd, Sworn to be subscribed April 3rd See Attachment.

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☒ No

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: They charged me with ~~Agg~~ Aggravated Assault x2
☒ 1

(a) Supporting facts (Be brief. Do not cite cases or law.):

I did not put my hand on anyone or cause physical harm to anyone. My Affidavit has my name spelled Zachary Seller, And is dated March the 3rd, And sworn to be subscribed ~~At~~ April 3rd And has Not been signed by a judge. See Attachment.

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes

☒ No

GROUND TWO: Shooting into a occupied dwelling

(a) Supporting facts (Be brief. Do not cite cases or law.):

I didn't have a fire-arm, I caint own one, and they didn't recover one from my possission. My Affidavit has my name miss spelled Zachary Seller, And is dated March the 3rd, Sworn to be subscribed April 3rd And has Not been signed by a judge. See Attachment

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE: ~~malicious~~ Malicious Mischief

(a) Supporting facts (Be brief. Do not cite cases or law.):

I plead Guilty to that because I did stab a tire when they tried to run me over. My name is miss spelled Zachary Seller on my Affidavit. It has Not been signed by a judge, And is dated March the 3rd, Sworn to be subscribed April 3rd See Attachment.

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☒ No

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GROUND FOUR:

N/A

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: N/A

Request for Relief

15. State exactly what you want the court to do:

Apoin+ me a lawyer, Because Scott County has faild to do so. ~~Drop all charges.~~ Drop all charges. \$475 a day for everyday I have been fals falsely accused.

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 4-30-24

Zachary Zeller
Signature of Petitioner

Signature of Attorney or other authorized person, if any